

**Town of Sunset Beach
Monthly Council
Work Session and Regular Meeting
March 5, 2012**

MINUTES

Members Present: Mayor Richard Cerrato, Mayor Pro-Tem Lou DeVita, Councilman Mike Williams, Councilwoman Karen Joseph, Councilwoman Carol Scott, and Councilman Wilson Sherrill.

Members absent: None

Attorney & Staff Present: Gary Parker, Town Administrator; Mike Isenberg, Town Attorney; Chris Barbee, Fire Chief; Kevin Dempsey, Assistant Fire Chief; Lisa Massey, Police Chief; Sandy Wood, Building Inspector; Dustin Graham, Public Works Director; Donna Rogers, Finance Director and Lisa Anglin, Town Clerk.

**Work Session
6:45 pm**

Mayor Cerrato called the Work Session to order, called for agenda amendments and general discussions by the Council.

Agenda Amendments

Councilwoman Joseph requested adding Sunset at Sunset to the agenda immediately following the Call to Order; the Council agreed.

Council Discussion

West Brunswick High School Internship Program

Mayor Cerrato requested the West Brunswick High School Internship Program be added to an upcoming Work Session agenda for Council discussion.

Work Sessions

Councilwoman Scott advised that the Council decision to begin holding monthly Work Sessions has proven to be useful and effective.

Boat Ramp Construction

Councilwoman Joseph showed and circulated a picture of the boat ramp construction.

Salary Adjustments for Certifications Policy

Mayor Cerrato informed those in attendance that the Council voted 4 – 1 to award salary increases to employees for certifications received as the policy stated and that the policy has been suspended until further notice by Council.

Take Home Vehicles

Mayor Cerrato requested a discussion and explanation from Gary Parker concerning IRS Regulations about take home vehicles be added to an upcoming agenda.

Work Session (Cont.)

Fire Station #2

Mayor Cerrato advised that Fire Station #2 is operational and is providing 24/7 coverage. Mayor Cerrato advised that a dedication ceremony is being planned for April 9th at 11:00 am.

Brunswick County Budget

Mayor Cerrato advised that he has received written confirmation from the Brunswick County Manager that a funding recommendation to repair the second water line to the island and to correct the water pressure problem in Sandpiper Bay community has been submitted to the Brunswick County Commissioners for inclusion in their 2012/2013 Budget.

Monthly Meeting
7:00 pm

Call to Order & Pledge of Allegiance

Mayor Cerrato called the Monthly Meeting to order and the Pledge of Allegiance was recited.

Sunset at Sunset

Councilwoman Joseph read a prepared statement concerning Mayor Cerrato's recent actions and allegations concerning Sunset at Sunset and the Mayor's repeated questioning of town staff, attorney and auditor concerning the Sunset at Sunset financial records. Mayor Cerrato informed those in attendance that he is concerned about fiscal accountability, unaudited financial records and the accountability of every penny spent.

COUNCILWOMAN SCOTT MADE A MOTION THAT THE COUNCIL AFFIRMATIVELY ACKNOWLEDGES THAT THE SUNSET AT SUNSET COMMITTEE IS CURRENTLY REPORTING FINANCIAL TRANSACTIONS AS LEGALLY REQUIRED, THAT THERE IS NO EVIDENCE OF ANY KIND THAT FUNDS WERE EVER IMPROPERLY HANDLED; THAT THE MEMBERS OF THE COMMITTEE SHOULD BE COMMENDED FOR THEIR CONTINUED HARD WORK TO MAKE THE FESTIVAL A SUCCESSFUL EVENT FOR THE TOWN; THAT THE COUNCIL OFFICIALLY PUT THE MATTER OF SUNSET AT SUNSET THAT WAS REFERRED TO THE LOCAL GOVERNMENT COMMISSION TO REST; THAT THE COUNCIL DIRECT TOWN STAFF TO IGNORE ATTEMPTS FROM THE MAYOR TO ENGAGE THEM IN DISCUSSIONS ABOUT THIS MATTER; THAT THIS MATTER IS NOT TO BE BROUGHT UP AGAIN BY THE MAYOR BEFORE TOWN COUNCIL; AND THAT THE MAYOR IS NOT TO APPROACH THE TOWN'S ATTORNEY OR AUDITOR ON ANY MATTERS OR QUESTIONS WITHOUT FIRST OBTAINING APPROVAL FROM THE TOWN COUNCIL. COUNCILMAN SHERRILL SECONDED THE MOTION. MAYOR CERRATO CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Public Comments

Bob Tone 9030 Sea Lane – Spoke in favor of the current Beach Patrol operation and objected to the cost analysis provided to the Council.

Len Steiner 613 Kings Trail – Spoke in favor of the current Beach Patrol operation.

Public Comments (Cont.)

Jean Hutchinson 433 6th Street – Requested Council to pay special attention to preserving the environment and the quality of life for residents and visitors when reviewing island parking availability.

Carol Church 515 Shoreline Drive – Requested Council to add handicapped parking spaces at the handicapped access locations and to increase the number of handicapped spaces within the town to accommodate the handicapped and senior citizen residents.

Ronald Klein 952 Oyster Pointe Drive – Reminded the Council that the Sunset at Sunset Celebration helps to assist non-profit and charitable organizations by providing free booth spaces during the celebration.

Consent Agenda Approval

COUNCILMAN SHERRILL MADE A MOTION TO APPROVE THE FOLLOWING CONSENT AGENDA AS PRESENTED.

1. February 6, 2012 Regular Meeting Minutes
2. February 13, 2012 Special Meeting Minutes
3. Departmental Reports:
 - a) Police
 - b) Public Works
 - c) Building Inspections
 - d) Fire
4. Disposition of Directives
 - a) Preliminary Assessment Notice appeared in Brunswick Beacon – 11/16/11
 - b) Preliminary Assessment Notice and Resolution mailed to affected property owners – 11/16/11
 - c) Preliminary Assessment Resolution Public Hearing held – 12/05/11
 - d) BEMC informed to begin underground project – 12/9/11
 - e) Crossover Walkway repairs began 11/16/11 – 1302 Completed 12/21/11; 6th St Completed 01/20/12; 4th St Completed 02/07/12; 5th St Completed 02/20/12, 7th St Completed 02/27/12
 - f) BC Mutual Aid Agreement amended, signed and mailed to Brunswick County – 01/17/12; Received County signed Agreement – 02/07/12
 - g) Park RFP mailed to 3 finalist – 02/15/12
 - h) Gazebo Bathrooms ordered – 01/25/12, to be delivered 04/09/12
 - i) Sewer System Open House Set By BCPU for 04/14/12 from 2 pm - 4 pm
 - j) FS#2 Dedication - Started planning 02/28/12
 - k) Ordinance 50.03 prepared for Municode – 01/24/12
 - l) Road Re-surfacing Schedule prepared – 02/10/12
 - m) Salary Adjustments for Certifications approved and policy suspended – 02/13/12
 - n) Request letter mailed to NC DOT concerning repaving of Main St. – 02/28/12
 - o) Fire Chief Position Advertised – 02/14/12
 - p) Roll Cart Attendant Position Advertised – 02/14/12
 - q) Implement island-wide parallel parking only & erect signs at the island entrance and both directions on North Shore Drive and Main St – Signs ordered 02/22/12
 - r) Set up Meeting with NC DOT for Bridge Landscaping Plan approval and funding – 02/27/12

Consent Agenda (Cont.)

- s) Island Dumpsters removed – 02/27/12
- t) Planning Board ETJ Member Position Advertised in Brunswick Beacon – 01/25/12 and Interview setup for 6:15 pm on 02/06/12; Council interviewed 02/06/12, Council recommends Appointment of Sybil Kesterson for Planning Board to BC Commissioners - 02/13/12; Resolution mailed to BC Commissioners – 02/16/12

5. Departmental Updates – None Reported

COUNCILWOMAN JOSEPH SECONDED THE MOTION. MAYOR CERRATO CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Old Business

Beach Patrol Discussion

Gary Parker reminded Council that the Beach Patrol operation is being reviewed due to a recommendation to utilize police officers instead of civilians which was received from the NC League of Municipalities Risk Management Division. The Council reviewed the current and proposed cost analysis provided. The Council expressed a desire to continue to utilize civilians and agreed that extensive training, strenuous supervision, implementation of disciplinary actions, scheduling limitations to reduce administrative payroll time and extended operational hours would be required. The Council also agreed that Beach Patrol positions will be advertised and prior employees will need to re-apply.

COUNCILWOMAN SCOTT MADE A MOTION TO CONTINUE TO UTILIZE CIVILIANS FOR BEACH PATROL, FOR ALL POSTIONS TO BE ADVERTISED AND APPLICANTS INTERVIEWED AND FOR OPERATIONAL GUIDELINES TO BE ESTABLISHED FROM THE COUNCIL DISCUSSION CONCERNING THE BEACH PATROL OPERATION. COUNCILMAN SHERRILL SECONDED THE MOTION. MAYOR CERRATO CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Personnel Policy Amendments & Adoptions

Adoption of Job Descriptions for Beach Patrol, Beach Patrol Supervisor and Beach Patrol or Beach Patrol Officer; Amendment of Public Works Superintendent Job Description; Adoption of Roll Cart Attendant

COUNCILWOMAN JOSEPH MADE A MOTION TO ADOPT THE BEACH PATROL SUPERVISOR JOB DESCRIPTION AS PRESENTED, TO ADOPT THE BEACH PATROL JOB DESCRIPTION AS PRESENTED, TO AMEND THE PUBLIC WORKS SUPERINTENDENT JOB DESCRIPTION AS PRESENTED AND TO ADOPT THE ROLL CART ATTENDANT JOB DESCRIPTION AS PRESENTED. COUNCILMAN WILLIAMS SECONDED THE MOTION. MAYOR CERRATO CALLED FOR DISCUSSION.

The Council discussed the need to add to the Beach Patrol Supervisor and Beach Patrol job descriptions the responsibility to unlock the Gazebo restrooms and to periodically check the restrooms for cleanliness and supplies, and to clean and restock the supplies if needed. The Council also discussed the wording “knowledge of police procedures” contained in the Experience Section and agreed to remove this wording.

Old Business (Cont.)

Personnel Policy Amendments & Adoptions (Cont.)

COUNCILWOMAN JOSEPH AMENDED THE MOTION TO INCLUDE THE GAZEBO BATHROOMS RESPONSIBILITY AND TO REMOVE THE “KNOWLEDGE OF POLICE PROCEDURES” FROM THE EXPERIENCE SECTION OF THE BEACH PATROL SUPERVISOR AND BEACH PATROL JOB DESCRIPTIONS. COUNCILMAN SHERRILL SECONDED THE AMENDED MOTION. MAYOR CERRATO CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Amendment of Article X. Section 4 Retirement Benefits

The Council discussed vision and dental insurance coverage offered by the Town to retirees. Gary Parker explained that currently the premium payment made by the retiree is based on the number of service years with the State Retirement System. A retiree with 25 years of service is provided free dental and vision insurance, a retiree with 15 years pays 50% and a retiree with less than 15 pays 100%. The Council discussed changing the service year criteria to years with the Town, requiring the retiree to pay 100% of the premium regardless of the service years, making no changes to the existing policy and changing the policy to eliminate offering retirees the coverage.

COUNCILMAN WILLIAMS MADE A MOTION TO AMEND THE POLICY TO OFFER RETIRING EMPLOYEES THE OPTION TO REMAIN ON THE TOWN’S DENTAL AND VISION INSURANCE POLICY FOR COVERAGE BY PAYING 100% OF THE PREMIUMS. COUNCILMAN SHERRILL SECONDED THE MOTION. MAYOR CERRATO CALLED FOR A VOTE. MAYOR PRO-TEM DEVITA, COUNCILMAN SHERRILL, COUNCILWOMAN SCOTT AND COUNCILMAN WILLIAMS VOTED YES. COUNCILWOMAN JOSEPH VOTED NO. THE MOTION CARRIED BY MAJORITY VOTE.

Deletion of the Deputy Chief of Administration job description

COUNCILMAN SHERRILL MADE A MOTION TO DELETE THE DEPUTY CHIEF OF ADMINISTRATION JOB DESCRIPTION FROM THE PERSONNEL POLICY. COUNCILWOMAN JOSEPH SECONDED THE MOTION. MAYOR CERRATO CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Discussion/Adoption of a Sick Bank Policy

COUNCILWOMAN JOSEPH MADE A MOTION TO ADOPT THE SICK LEAVE BANK POLICY AS PRESENTED. COUNCILWOMAN SCOTT SECONDED THE MOTION. MAYOR CERRATO CALLED FOR DISCUSSION.

The Council discussed the proposed Sick Leave Bank Policy and made a few grammatical amendments. Gary Parker requested a Sick Leave Bank Committee be formed to accept withdrawal request and to make the determination of the amount of sick leave that will be granted. Gary Parker recommended that the Committee be comprised of three (3) of the six (6) department heads and will rotate annually. The Council agreed to distribute the proposed policy to employees for feedback.

COUNCILWOMAN JOSEPH MADE A MOTION TO AMEND THE PREVIOUS MOTION BY AMENDING THE SICK LEAVE BANK POLICY TO INCLUDE THE GRAMMATICAL AMENDMENTS AND THE SICK LEAVE BANK COMMITTEE AND FOR THE PROPOSED POLICY TO BE DISTRIBUTED TO THE EMPLOYEES FOR INPUT TO BE REPORTED BACK TO

Old Business (Cont.)

Discussion/Adoption of a Sick Bank Policy (Cont.)

THE COUNCIL BEFORE THE COUNCIL MAKES THE POLICY EFFECTIVE. MAYOR PRO-TEM DEVITA SECONDED THE MOTION. MAYOR CERRATO CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Final review of the RFQ for a Parking Engineer

Councilwoman Scott expressed concerns with hiring a parking engineer and advised that the island contains adequate public parking. Mayor Pro-Tem DeVita suggested that a professional opinion was needed to ensure that all concerns were addressed and possible solutions reviewed.

MAYOR PRO-TEM DEVITA MADE A MOTION TO APPROVE THE AMENDED RFQ AS PRESENTED FOR A PARKING ENGINEER. COUNCILWOMAN JOSEPH SECONDED THE MOTION. MAYOR CERRATO CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

New Business

Resolution to Donate Fire Department Surplus Boat

Gary Parker advised that the value of the surplus boat is \$1,800 (as long as the motor is operational). Grissettown Volunteer Fire Department provides mutual aid to the Sunset Beach Fire Department.

COUNCILMAN WILLIAMS MADE A MOTION TO ADOPT THE RESOLUTION TO DONATE THE SURPLUS BOAT TO THE GRISSETTOWN VOLUNTEER FIRE DEPARTMENT. COUNCILMAN SHERRILL SECONDED THE MOTION. MAYOR CERRATO CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Consideration of Approval of the Auditor Contract

COUNCILWOMAN JOSEPH MADE A MOTION TO APPROVE THE 11/12 AUDITOR CONTRACT. COUNCILMAN SHERRILL SECONDED THE MOTION. MAYOR CERRATO CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Consideration of Hourly Contract with Retiring Fire Chief

The Council reviewed the proposed agreement for retiring Fire Chief Chris Barbee to provide consulting services to the Town after his retirement begins. The Council agreed to an hourly rate of \$42.50. The Council agreed that the agreement will commence on May 1, 2012 and can be terminated by either party with 14 days written notice but no later than April 30, 2013.

COUNCILWOMAN JOSEPH MADE A MOTION TO APPROVE THE CONSULTING AGREEMENT WITH CHRIS BARBEE TO COMMENCE ON MAY 1, 2012 WITH AN HOURLY RATE OF \$42.50 AND TO TERMINATE BY EITHER PARTY WITH 14 DAYS NOTICE BUT NO LATER THAN APRIL 30, 2013. COUNCILMAN SHERRILL SECONDED THE MOTION. MAYOR CERRATO CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Consideration of Instructing Staff to Prepare a Landscaping RFP

The Council instructed Staff to prepare a Landscaping RFP to include mowing and maintenance of the grounds surrounding Town Hall and the areas displaying the Town signs on Highway 904 and Shoreline Drive West. Staff will present the proposed Landscaping RFP for Council approval at a future meeting.

Public Comments

Charles Nern 647 Oyster Bay Drive – Thanked Sandy Wood and the Building Inspections Department for getting a commercial property on the island to clean up the rear of the property; criticized the Mayor's actions and behavior.

Edward Gore 435 Shoreline Drive West – Thanked the past and present Sunset at Sunset Committee members for organizing the celebration; Requested Council to form a committee of volunteers to organize Memorial Day and Veteran's Day Services for the Town.

Joe Santavicca 9109 Forest Drive – Spoke in favor of utilizing civilians for beach patrol.

Adjournment

COUNCILMAN SHERRILL MADE A MOTION TO ADJOURN THE MARCH 5, 2012 COUNCIL MEETING. COUNCILWOMAN JOSEPH SECONDED THE MOTION. MAYOR CERRATO CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Town of Sunset Beach

Richard Cerrato, Mayor

Submitted by:

Lisa Anglin, Town Clerk